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(CNE)

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant:	Ryan et al.	Examiner:	Rodriguez, J.
Serial No.:	09/383,508	Group Art Unit:	3653
Filed:	August 26, 1999	Docket No.:	AMDA.389DIV1
Title:	RETICLE SORTER		

CERTIFICATE UNDER 37 CFR 1.8: The undersigned hereby certifies that this correspondence and the papers, as described hereinabove, are being deposited in the United States Postal Service, as first class mail, in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231, on June 26, 2002.

By: Clara Davis

Clara Davis

**AFTER FINAL RESPONSE**

Assistant Commissioner for Patents  
Washington, D.C. 20231

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GROUP 3600

Dear Sir:

In response to the Office Action dated April 26, 2002, please reconsider the final rejection in view of the following remarks.

**Remarks**

The Office Action dated April 26, 2002, indicated that claims 1-4, 6-12, and 19 stand rejected under §112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. In addition, claims 1-4, 6-12, and 19 stand rejected under §112, first paragraph, as containing subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s) at the time the application was filed, had possession of the claimed invention.

With respect to the rejection under §112(2), the Examiner erroneously contends that the scope of the claims is unclear because the claim language is inconsistent with the specification. Applicant respectfully submits that the correct test under 35 U.S.C. §112(2) is not whether the